

Mr. President, I, as I did yesterday, urge my colleagues to vote to confirm President Bush's nominee for Secretary of Health and Human Services, the outstanding Governor of the State of Wisconsin, Tommy Thompson.

Statements made during yesterday's session by Senators from both sides of the aisle made it apparent that the qualities that have made Governor Thompson so successful in Wisconsin also make him an ideal choice to lead this very all-encompassing Department of Health and Human Services.

Governor Thompson is a problem solver. He is an innovator and really is a leader with a record of success, particularly during the 14 years he has served as Governor of the State of Wisconsin.

His record as Governor of the State of Wisconsin should show everybody that he is a person committed to improving the lives of real people. The impressive results he has brought about in his great State should inspire all of us. In fact, his success in welfare reform there inspired Congress to pass the Welfare Reform Act of 1996. He was, even while Governor, an advisor to many Members of the Congress who felt we ought to move people from welfare to work, move people from the fringe of our economic society to the center, to the mainstream of that society so they can benefit, as others do, from the dynamics of our economy.

Most Wisconsinites—94 percent—have health insurance because of his leadership. The disabled and elderly persons needing long-term care have a state-of-the-art support system to turn to, thanks to Governor Thompson's leadership.

Programs such as Pathways to Independence and Family Care are efficient and effective and are part of a reliable safety net program. They call the program he instituted in Wisconsin the Wisconsin Works Welfare Reform Program. It has helped the State reduce its welfare caseload by nearly 95 percent. Think of that: reducing the welfare caseload by 95 percent. This is good for government, but, most important, we do not have welfare reform to help government; we have welfare reform to help people.

The program that has been before the country for the last 4 years is not doing everything we want it to do. It is not good to have people on the fringe of our society, people who know no other life than a public check coming from the welfare office. That is not a humane way to treat people. It is humane in our society to help people who cannot help themselves, but for those people who can help themselves—and people generally, if given the incentive, do want to help themselves—we have the responsibility to move them from the edge of society into the mainstream of society. That is exactly what happened in Wisconsin.

More specifically, there was a program in place in Wisconsin before we adopted ours in Washington, DC, for the entire nation, and that program reduced the caseload by 95 percent.

Governor Thompson's record in Wisconsin is, indeed, impressive, and we are prepared, I believe, to confirm his nomination. He will bring a wealth of knowledge, a very positive outlook, and an innovative style to the national debate on welfare reform and to Medicare improvements, including prescription drugs.

Governor Thompson made it clear during his nomination hearings that he welcomes the opportunity to work with any Member, Republican or Democrat, who has a special interest or special concern. One only needs to listen to the glowing recommendations from the distinguished Senators from Wisconsin, both Democrats, to be assured of his commitment to bipartisanship. Such bipartisanship, if anything is going to get done, is dictated by the makeup of the Senate and the closeness of the Presidential election.

More importantly, it is the way that Governor Thompson has worked in Wisconsin. Obviously, it is the way he is going to work with us.

I look forward to his collaborative approach to getting the job done and urge my colleagues to join me in approving this nomination.

I yield the floor and reserve the remainder of my time. Just in case there is an interest in speeding this nomination along, I am prepared to yield back any time I have left.

Before I sit down, Mr. President, I have this request from the leader.

#### UNANIMOUS-CONSENT AGREE- MENT—NOMINATION OF NORMAN MINETA

Mr. GRASSLEY. Mr. President, I ask unanimous consent that following the 11:30 a.m. vote today, the nomination of Norman Mineta, to be Secretary of Transportation, be placed on the calendar. I further ask unanimous consent that the Senate immediately proceed to its consideration and a vote on the confirmation of the nomination. Finally, I ask unanimous consent that following the vote, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Therefore, Mr. President, I am announcing for the leader, there will then be two back-to-back votes beginning at 11:30 a.m. today.

Mr. President, I ask unanimous consent that the yeas and nays be in order en bloc on both nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

#### NOMINATION OF TOMMY THOMPSON TO BE SECRETARY OF HEALTH AND HUMAN SERVICES—Continued

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to speak in support of the nomination of Governor Tommy Thompson to be Secretary of Health and Human Services. Governor Thompson brings an extraordinary record to Washington, DC, and he has accomplished a great deal as Governor of the State of Wisconsin.

He began his political life in the Wisconsin State Assembly in 1966. He was elected to an unprecedented third term in Wisconsin, and then he broke his own record by being elected to a fourth term—of course again unprecedented. He has had remarkable accomplishments in the field of education, and tax cuts, where the tax rolls in Wisconsin have been very substantially reduced, in crime control, and perhaps his greatest achievement has been in welfare reform in Wisconsin. While Governor, Wisconsin got more waivers from the Department of Health and Human Services than any other State. Now it will be interesting to see how, in his capacity as Secretary of the Department, he will function to create policies in a climate where the Federal Government can articulate and implement policies which will not require States to seek waivers, as he was so successful at doing.

His reform of the welfare system in Wisconsin has received national acclaim. He initiated the program called "Learnfare." He was able to change the approach in Wisconsin to have work instead of welfare—all enormous accomplishments.

When I looked at the record of Governor Thompson, candidly, I wondered why he did not run for President with those accomplishments behind him. I know some consideration had been given by Governor Thompson to that. It is an onerous road, considering all the difficulties. Perhaps foremost was the formidable candidacy of Gov. George Bush of Texas, who is now our President. So we have done very well indeed on the Presidency, and on the designation of Secretary Thompson for Health and Human Services.

He will be facing some very difficult problems. One of the problems he will be facing is the controversial issue of stem cells, where I and others have introduced legislation to remove the ban on Federal funding for the extraction of stem cells from embryos. This has

been a controversial matter because I think it is really not understood that the embryos from which the stem cells are extracted are to be discarded. They had been created for in vitro fertilization and are not to be used. So, instead of discarding them, it seems most appropriate to use them to save lives.

The stem cells are a veritable Fountain of Youth, with stem cells already having been very useful in efforts to cure Parkinson's and spinal cord injuries. There is great promise for stem cells on Alzheimer's, perhaps in heart ailments to replace cells in the circulatory system and in the heart, and perhaps even on cancer. That is an issue which Senator LOTT, our distinguished majority leader, has promised listing on a free-standing bill.

Governor Thompson will also be a key player in implementing the distribution of organ transplants. We will, perhaps, call on him to implement a system which has been put into effect that he personally disagreed with as Governor of Wisconsin but now, as a national officeholder looking after the interests of 50 States, there is obviously going to be a different perspective.

In Wisconsin, there had been great success in encouraging people to donate organs so there was an abundance of organs. Perhaps those techniques can be implemented by the new Secretary of Health and Human Services to create a national response, to have more organs donated so we need not have the controversy we have on the distribution of organs. As the chairman, for the past two Congresses, of the subcommittee on Labor, Health, Human Services and Education, I have had the role of working on the legislation of organ transplants, which we finally have worked out. It is my hope we will retain the policy which we have in effect.

Mr. DOMENICI. Mr. President, I rise today in strong support of Governor Tommy G. Thompson, the nominee for Secretary of Health and Human Services.

I am extremely pleased with President Bush's choice to be the next Secretary of Health and Human Services because I believe Governor Thompson's extensive background will bring a fresh approach to an agency that has a history of underachievement.

Unfortunately, the Department of Health and Human Services, HHS, has far too often operated with a Washington knows best mentality, instead of taking into account what a state or local community might actually need.

As a former Governor, Secretary Thompson will bring an invaluable wealth of experience to HHS and more importantly the practical experience of having confronted and addressed the unique problems and needs that arise at the local level.

Governor Thompson has gained a reputation for his innovative approaches

to implementing Welfare and Medicaid reform during his tenure as the Governor of Wisconsin. Moreover, during that time he dealt with the Health Care Financing Administration, HCFA, on a regular basis and I believe that experience will serve him well, as he also knows first hand the frustrations shared by many Members of Congress in dealing with HCFA.

While Governor, he completely overhauled Wisconsin's Welfare system and reduced welfare rolls by 93 percent and additionally, he attempted to provide individuals with the tools to succeed by increasing subsidies for child care, health insurance, and job training.

Governor Thompson also created Wisconsin's State Children's Health Insurance Program, SCHIP, "BadgerCare" and eighteen months ago the program became the first state in the nation to offer health coverage to the parents of eligible children.

I also believe that New Mexico stands to benefit from the leadership of Secretary Thompson. For instance, HCFA has previously denied several waiver requests by the New Mexico Department of Human Services to obtain greater flexibility regarding the use of unspent SCHIP funds, and I am hopeful Secretary Thompson will review any similar request submitted by New Mexico.

I am also looking forward to working with Secretary Thompson on the issue of Medicare reimbursement disparity between states like New Mexico and the remainder of the country. Just last year Congress took a first step to address the issue by passing the "Medicare Geographic Fair Payment Act of 2000." Specifically, the law raises the reimbursement rates for historically underpaid areas under the Medicare+Choice program.

In closing, I think we all begin the 107th Congress with unlimited opportunities to improve our nation's health through a prescription drug benefit for Medicare, Medicare reform, and a continued commitment to medical research.

I believe there is a lot of agreement on the need to emphasize these issues and I look forward to working with Secretary Thompson to address these important issues for not only New Mexico, but our country.

Mr. KENNEDY. Mr. President, few appointees in the Cabinet are more important than the Secretary of Health and Human Services. The agency's 63,000 dedicated employees serve America well. With its budget of \$427 billion, if it were a country, HHS would have a GNP larger than all but 14 of the nations in the world.

But the vast importance of the Department cannot be measured by numbers of employees or dollars of spending. As the HHS motto itself states, "Hope is the anchor of life." The programs directed by the Secretary are an

anchor of life for tens of millions of Americans. They bring hope to the hopeless and help to the helpless. They express the best ideals of our country.

It has been said that the measure of a society is how it treats the very old and the very young. The Secretary of the Department is responsible for stewardship of Medicare, which along with Social Security, states the promise of our society to our senior citizens that their golden years will be as healthy and secure as possible. Medicare is a compact between the American people and their government. It says work hard and contribute to your country during your working years—and you will have good medical care in your senior years.

For the very young, the Secretary has an equally profound responsibility. The Secretary is the leader of Head Start, one of the most effective government programs to help disadvantaged children join the mainstream of American life. It brings help and hope for millions of children who would otherwise have no chance at the American dream—but it still serves only half of all those who are eligible.

Whether the issue is health care for the disadvantaged or assistance for low-income families, HHS is the lead federal agency for some of the most serious challenges the nation faces. HHS safety net programs are the protection of last resort for millions of Americans, and other HHS programs are also vital to the well-being of affluent and average Americans alike.

Without the Food and Drug Administration, Americans could not go to the grocery store with any confidence that the food they buy is safe and healthy. No American could be confident that their prescription drugs are safe and effective, and no American needing a medical device could be sure that the device will do more good than harm.

Biomedical research supported by the National Institutes of Health is unequaled by any other country. NIH leads the world in the effort to conquer cancer, heart disease, mental illness and other dread diseases that threaten the life and happiness of American families.

We all know the important challenges that the new Congress, the new President, and the new Secretary of Health and Human Services will face this year. We need to enact prescription drug coverage under Medicare, to assure that the promise of health security in retirement will finally be fulfilled. We must expand health insurance, so that the right to health care can be a reality for every American, not just an expensive privilege for the few. We must pass a strong, enforceable Patients' Bill of Rights to end the abuses of managed care and give every patient the confidence that their health insurance will be there when they need it.

We should expand quality day care, child care, and Head Start, so that we mean what we say when we state that no child shall be left behind. We must maintain our commitment to biomedical research at the NIH, to reap the benefits of the century of the life sciences that has just begun, and increase our commitment to research on health care quality and the delivery and utilization of health services.

I hope we can move forward together in a spirit of bipartisanship to address each of these great challenges. But it is also important that we do not move backward by advancing partisan and divisive proposals that would undermine the accomplishments of the past.

We must not undermine the federal commitment to guaranteed health care for poor children, poor parents, senior citizens, and the disabled. A new effort to enact a Medicaid block grant would be counterproductive. And so would an attempt to repeal the Medicaid commitment by stealth, through the use of the waiver process in a way that undermines the Medicaid entitlement, rather than providing services in new and better ways.

Congress approved the CHIP program for children's health by an overwhelming bipartisan majority, because it struck the right balance between state flexibility and achievement of national goals. Steps to provide additional flexibility should be carefully considered—and should not be undertaken without congressional review. I know that Governor Thompson is interested in expanding coverage to parents of the children covered by Medicaid and CHIP. I hope that he will support our bipartisan efforts to provide new funds and clear authority to support states that want to accomplish this important objective, rather than using the waiver process and limited Title XXI funds to cover parents at the expense of children.

We must be more sensitive to ethical concerns in federally financed medical research—but we must also not roll back existing research commitments because of ideology—and certainly not without congressional action to guarantee that the commitment to such change is bipartisan.

We must maintain our commitment to comprehensive family planning services—and not return to the old days of “gag rules” and harassment of family planning clinics.

We must not politicize the scientific judgements of the Food and Drug Administration.

We must do more—much more—to reduce youth smoking, and protect as many children as possible from the dangers of tobacco.

We should improve Medicare, in addition to prescription drug coverage, by adding measures to assure the highest quality care to senior citizens and the disabled. We must place a new empha-

sis in Medicare on keeping beneficiaries healthy rather than simply caring for them after they become ill. We can expedite Medicare's coverage of beneficial new products and procedures, and provide more adequate financial support for the nation's great teaching hospitals, its community hospitals, its nursing homes, and its home health agencies. But reform should not be an excuse to undermine Medicare's commitment, to impose additional financial burdens on the elderly, or to force senior citizens to give up conventional Medicare and join HMOs. And the failure to reach rapid consensus on Medicare reforms should not be an excuse for failure to act promptly on the most important reform of all—Medicare coverage of prescription drugs.

Finally, responsible leadership at HHS requires support for new measures and new ideas to meet the challenges facing our country. To stand still is to fall behind in all these ongoing battles of our time.

Governor Thompson comes to us with a genuinely outstanding record of accomplishment in Wisconsin. He recognizes that access to good health insurance, child care, job training and transportation services are critically important if families are to successfully leave welfare for work. Wisconsin's Badger Care health insurance program is a path-breaking model for the nation. Governor Thompson was an early and active supporter of the Jeffords-Kennedy work incentives legislation to help persons with disabilities work without fear of losing their health insurance, and he has created a long-term care initiative that would give families the freedom to choose the best forum for their long-term care needs—whether in the home or in the community.

Governor Thompson is a hard worker, and a man of strong convictions. But he is also pragmatic and willing to work with others who have different views in order to achieve a common goal.

Though the Senate is voting today, members of the Health, Education, Labor, and Pensions Committee are submitting written questions to Governor Thompson on issues that were unable to be fully explored at last Friday's hearing.

I intend to vote for Governor Thompson's confirmation, and I look forward to working with him in the years ahead to improve and protect the nation's health and welfare.

Mr. SANTORUM. Mr. President, I rise today to support the nomination of Gov. Tommy Thompson to be Secretary of Health and Human Services, and also to speak to a vital public health issue on which I know many of my colleagues are looking forward to working with him: namely, the implementation and enforcement of policies to improve our nation's organ procurement and allocation system.

I hold Governor Thompson in very high regard for his expertise in health care policy and for his long and distinguished record on innovations in health care delivery in the state of Wisconsin, and I am optimistic that in his new role as guardian of public health laws and regulations for the country we can work together toward ensuring that national interests triumph over parochial ones.

As my colleagues well know, over the past several years Congress has been unable to reach consensus on reauthorizing the National Organ Transplant Act, NOTA, though I look forward to working with Governor Thompson this Congress to reauthorize this important public law, and especially to develop a clear mandate and strategies for increasing organ donation. But in the absence of NOTA reauthorization, the country has benefitted immensely from the credible scholarship of the Institute of Medicine's 1999 study which underscored not only the need for reforming organ procurement and allocation, but also the proper role that the federal government should play in overseeing and enforcing such reforms.

I cannot fathom that the American public would countenance that a life-and-death issue such as organ allocation would be based on principles of geographic happenstance, instead of medical necessity. But it is just this outdated paradigm that has largely contributed to the fact that about 4,000 Americans die each year—at least 11 per day—while awaiting organ transplants. Of those, it is estimated that 1,000 Americans—more than 3 each day—might have been saved if the system operated more fairly.

In light of harrowing statistics such as these, following the release of the IOM study and in the absence of NOTA reauthorization, the Department of Health and Human Services last year put forth a Final Rule which enjoyed bipartisan support here in Congress and which engendered the primary recommendation of the IOM study: to establish goals for the Organ Procurement and Transplantation Network, OPTN, to make changes that would assure equity with regard to patient access to organs.

On March 16, 2000 the Final Rule governing the OPTN took effect, establishing that the medical and allocation policies of the OPTN remain the responsibility of transplant professionals, in cooperation with transplant centers, patients and donor families represented on the OPTN board. The Final Rule also rightly provides—as NOTA intended and the IOM study recommended—for the public accountability that is necessary for a national program on which so many lives depend.

Toward the goal of public accountability, the Final Rule requires the Nation's OPTN contractor to submit to

the Secretary new policies governing liver allocation to needy patients, in order to achieve the following performance goals: utilize standardized, objective criteria to determine medical urgency; give highest priority to the most medically urgent candidates, based upon such new criteria; and distribute organs over as broad a geographic area as is feasible.

I am pleased that the current contractor has submitted a proposal to the Department that meets many of the criteria stipulated in the Final Rule and the recently renewed OPTN contract. The contractor's proposal would create a more precise scale for determining how sick waiting patients are, thereby allowing the network to direct more livers to the sickest patients. However, the proposal would do nothing to break down the geographic barriers that dictate organ distribution, which was one of the pivotal tenets of both the Final Rule and the new OPTN contract.

Mr. President, I share the belief of many of my colleagues that Governor Thompson is eminently qualified to meet the many and varied policy challenges that will be incumbent on the next Health and Human Services Secretary, ranging from sustaining and expanding the successes to date of welfare reform, to assessing options on how best to put Medicare on sound financial and actuarial footing for the long-term. I have confidence that Governor Thompson will approach the duties of his office with probity and rectitude. I am hopeful that the Governor will work with Congress to reauthorize NOTA and to support and ensure compliance with the regulations put forth last year relating to the operation of the organ procurement and transplantation network in the United States.

Mr. GRASSLEY. Mr. President, if it is necessary for me to yield back time, I will, but I did not want to yield back time until I knew exactly where we were with other people who had time.

Mr. President, I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is, Will the Senate advise and consent to the nomination of Tommy G. Thompson, of Wisconsin, to be Secretary of Health and Human Services? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 4 Ex.]

#### YEAS—100

Akaka	Breaux	Cleland
Allard	Brownback	Clinton
Allen	Bunning	Cochran
Baucus	Burns	Collins
Bayh	Byrd	Conrad
Bennett	Campbell	Corzine
Biden	Cantwell	Craig
Bingaman	Carnahan	Crapo
Bond	Carper	Daschle
Boxer	Chafee	Dayton

DeWine	Inouye	Reid
Dodd	Jeffords	Roberts
Domenici	Johnson	Rockefeller
Dorgan	Kennedy	Santorum
Durbin	Kerry	Sarbanes
Edwards	Kohl	Schumer
Ensign	Kyl	Sessions
Enzi	Landrieu	Shelby
Feingold	Leahy	Smith (NH)
Feinstein	Levin	Smith (OR)
Fitzgerald	Lieberman	Snowe
Frist	Lincoln	Specter
Graham	Lott	Stabenow
Gramm	Lugar	Stevens
Grassley	McCain	Thomas
Gregg	McConnell	Thompson
Hagel	Mikulski	Thurmond
Harkin	Miller	Torricelli
Hatch	Murkowski	Voinovich
Helms	Murray	Warner
Hollings	Nelson (FL)	Wellstone
Hutchinson	Nelson (NE)	Wyden
Hutchison	Nickles	
Inhofe	Reed	

The nomination was confirmed.

#### NOMINATION OF NORMAN Y. MINETA TO BE SECRETARY OF TRANSPORTATION

Mr. BYRD. Mr. President, I strongly support the nomination of Norman Mineta to be the next Secretary of Transportation. Throughout his very lengthy career in public service, Norman Mineta has demonstrated a true commitment to improving the quality of life for all Americans and a strong understanding of the elemental role that transportation plays in our national prosperity.

Mr. Mineta began his public career in 1967 as the Mayor of the San Jose City Council in California. In 1971, he was elected Mayor of San Jose. Most of us know Mr. Mineta, however, from his very distinguished career in the House of Representatives, where he served for 21 years representing the Silicon Valley area. At the culmination of his career in the House, Mr. Mineta served as the Chairman of the Committee on Public Works and Transportation—the committee we now know as the Committee on Transportation and Infrastructure.

Once we succeed in confirming Norman Mineta today, we will usher in a Secretary with a very extensive grounding in both politics and transportation policy. Many of Mr. Mineta's most significant legislative accomplishments in the House were in the area of transportation. During the drafting of the Intermodal Surface Transportation Efficiency Act of 1991, Mr. Mineta served as Chairman of the Public Works Subcommittee on Ground Transportation. He has also been very involved in aviation policy, both during and after his career in Congress. President Clinton asked him to chair the National Civil Aviation Review Commission. This "Mineta Commission" made several significant recommendations for revamping the Federal Aviation Administration. At the request of Secretary of Transportation Rodney Slater, Mr. Mineta also chaired an ad hoc advisory committee on truck safety.

Much has been accomplished in these two areas, but so much more remains to be done. Aviation delays have reached an all-time high. Secretary Mineta was quite frank with the members of the Commerce, Science, and Transportation Committee during his confirmation hearing in telling them that they should not expect to see these delays diminish any time soon. Many of us have read some frightening revelations regarding the inadequate enforcement efforts made by the Federal Motor Carrier Safety Administration in maintaining truck safety. These are two areas where Secretary Mineta has committed himself to moving out quickly to implement a comprehensive series of improvements, and I support him in these efforts.

When President-elect Bush announced his selection of Norman Mineta to be his Transportation Secretary, then-Commerce Secretary Mineta stated "Inadequate infrastructure is one of the chief threats to a thriving economy." This is a point that I have sought to make on the floor of the United States Senate numerous times, and Members can expect me to continue to make this case time and time again. I am glad that I will have an ally in Secretary Mineta in convincing my colleagues that we need to reverse the overall disinvestment in our nation's infrastructure that we have experienced over the last two decades. We have begun to make some progress by honoring the funding guarantees that I and other Senators included in the Transportation Equity Act for the 21st Century. However, much more needs to be done, and I look forward to working with Norman Mineta to see to it that we take a more aggressive approach in investing in America.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Norman Y. Mineta of California to be Secretary of Transportation? The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 5 Ex.]

#### YEAS—100

Akaka	Chafee	Feingold
Allard	Cleland	Feinstein
Allen	Clinton	Fitzgerald
Baucus	Cochran	Frist
Bayh	Collins	Graham
Bennett	Conrad	Gramm
Biden	Corzine	Grassley
Bingaman	Craig	Gregg
Bond	Crapo	Hagel
Boxer	Daschle	Harkin
Breaux	Dayton	Hatch
Brownback	DeWine	Helms
Bunning	Dodd	Hollings
Burns	Domenici	Hutchinson
Byrd	Dorgan	Hutchison
Campbell	Durbin	Inhofe
Cantwell	Edwards	Inouye
Carnahan	Ensign	Jeffords
Carper	Enzi	Johnson